

# CITY OF ROSENBERG

## REGULAR CITY COUNCIL MEETING MINUTES

On this the 3rd day of November, 2015, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Regular Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

Present: Cynthia A. McConathy, Mayor  
William Benton, Councilor at Large, Position 1  
Amanda J. Barta, Councilor at Large, Position 2  
Jimmie J. Pena, Councilor, District 1  
Susan Euton, Councilor, District 2  
Lisa Wallingford, Councilor, District 3  
Lynn Moses, Councilor, District 4

Staff Present: Robert Gracia, City Manager  
Scott M. Tschirhart, City Attorney  
Linda Cernosek, City Secretary  
John Maresh, Assistant City Manager of Public Services  
Jeff Trinker, Executive Director of Support Services  
Joyce Vasut, Executive Director of Administrative Services  
Travis Tanner, Executive Director of Community Development  
Charles Kalkomey, City Engineer  
Dallis Warren, Police Chief  
Wayne Jory, Police Lieutenant  
Billy Hammack, Police Sergeant  
Tim Kraus, Police Officer  
Wade Goates, Fire Chief  
Darren McCarthy, Parks and Recreation Director  
Lydia Acosta, Recreation Programs Coordinator  
Randall Malik, Economic Development Director  
James Lewis, Information Services Manager  
Jenny Pavlovich, Communications Manager  
Daniel Kelleher, Main Street Manager  
Kaye Supak, Executive Assistant

### **Call to order: City Hall Council Chamber**

Mayor McConathy called the meeting to order at 7:00 p.m.

### **Invocation and Pledge of Allegiance.**

Pastor Ben Trammell, Faith United Methodist Church, Richmond, gave the invocation and led the pledge of allegiance to the flag.

### **Presentation of Rosenberg Image Committee Halloween and Fall Decorating Contest Awards.**

Mayor McConathy and Councilor Benton presented Rosenberg Image Committee Halloween and Fall Decorating Contest Awards to:

- Adrian and Sandra Alanis-Garza, 1208 Lindsey Drive
- Frank and Debby Martinez, 1103 Timber Lane
- Curtis Matheaus, 1100 7th Street

#### **Presentation of Rosenberg Image Committee Beautification and Renovation Awards.**

Mayor McConathy and Councilor Benton presented Rosenberg Image Committee Beautification and Renovation Awards to:

- Louis and Eva Armstrong, 1003 Vera Cruz Drive
- Harvey and Gay Bryson, 2625 Truman Circle
- Philip and Kerri Chapman, 5215 Belvedere Drive

#### **Presentation of Willie D. McQueen, Jr., Employee of the Quarter Award.**

Dallis Warren, Chief of Police and Wayne Jory, Police Lieutenant, presented the Willie D. McQueen, Jr., Employee of the Quarter Award to Police Sergeant Billy Hammack and Police Officer Tim Kraus for the hard work and dedication they have exhibited as advisors for the Police Explorer program. The Rosenberg Police Explorer program is designed to develop and mentor the young people of Rosenberg who are interested in pursuing a career in law enforcement. This year, Sergeant Hammack and Officer Kraus went above and beyond when they undertook the challenge of hosting the Police Explorer Competition in the City of Rosenberg for the first time with great success.

#### **Announcements.**

- The Prairie Heritage Festival will be held at Seabourne Creek Park on Saturday, November 7, 2015, from 10:00 a.m. to 4:00 p.m.
- November 11, 2015, is Veterans Day, so honor those who have sacrificed their time and lives to secure the safety of our nation.
- The Oaks of Rosenberg will host their own National Night Out event on November 10, 2015.

#### **GENERAL COMMENTS FROM THE AUDIENCE.**

Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

- **Renee Butler, 1100 George Street, Rosenberg** - Ms. Butler spoke on behalf of the Main Street Advisory Board, and as a business owner in Downtown Rosenberg. She expressed her appreciation that the City Council for allowing Downtown Rosenberg to participate in the Main Street Program, and for the support from the City and its employees in hosting Texas' First Lady, Cecilia Abbott, on October 20, 2015.

#### **COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.**

Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

#### **CONSENT AGENDA**

1. **Review of Consent Agenda.**

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- A. **Consideration of and action on minutes of the Regular City Council Meeting on October 20, 2015.**
- B. **Consideration of and action on Resolution No. R-2064, a Resolution of the City of Rosenberg, Texas, providing for the casting of a thirty-one (31) vote entitlement to candidate Rhonda Zacharias to serve on the 2016-2017 Board of Directors of the Fort Bend Appraisal District.**

#### **EXECUTIVE SUMMARY**

The City of Rosenberg was mailed correspondence from Mr. Glen T. Whitehead, Chief Appraiser of the Fort Bend Central Appraisal District, dated October 16, 2015, with the election ballot for the 2016-2017 Board of Directors of the Fort Bend Central Appraisal District. The governing body may cast all its votes for one candidate or distribute its votes among candidates. Each taxing unit entitled to vote shall determine its vote by resolution and submit its resolution along with the ballot showing the votes cast for which nominee(s) to the Chief Appraiser December 15, 2015. The five candidates who receive the largest cumulative vote totals will be declared elected.

At the September 22, 2015 City Council Meeting, the City Council nominated Rhonda Zacharias as its candidate-of-choice to be put on the ballot. At this time, the City is voting for its nominated candidate and Resolution No. R-2064 would cast Rosenberg's 31 vote entitlement for Ms. Zacharias.



Should City Council approve, Resolution No. R-2064 must be returned to Mr. Glen Whitehead, Chief Appraiser of the Fort Bend Central Appraisal District before the December 15, 2015 deadline.

- C. **Consideration of and action on Ordinance No. 2015-35, an Ordinance providing for the extension of the City Limits of the City of Rosenberg, Texas, by voluntary annexation of a 20.37 acre (887,403 square feet) tract of land, situated in the John Foster Survey, Abstract No. 27, the Henry Scott Survey, Abstract No. 83, the B.B.B. & C. Railroad Company Survey, Abstract No. 139, the Yandell Ferris Survey, Abstract No. 375, and the Yandell Ferris Survey, Abstract No. 377, Fort Bend County, Texas; granting to said tract of land and to all current and future inhabitants of said tract of land the rights and privileges of other citizens and binding said current and future inhabitants by all of the acts, ordinances, regulations and resolutions of said City, now in effect and to be hereafter adopted; adopting a service plan for the annexed area; providing a severability clause; providing for an effective date; providing for a savings clause and repealing conflicting ordinances or resolutions.**

**EXECUTIVE SUMMARY**

As discussed at the October 20, 2015 City Council Meeting, City staff has received a request for the voluntary annexation of an existing 20.37-acre tract of land. The property is located on the north side of State Highway 36 West and to the east of Frito Lay. It was part of the SH 36 Northeast Tracts, which were annexed by the City in May 2013. A number of the tracts had agricultural use tax exemptions and were therefore offered Non-Annexation Development Agreements (Agreement(s)) in accordance with state law. The owner of the subject property, Wenzel Enterprises, LLC, entered into one of said Agreements with the City of Rosenberg. Namely, the Agreement provided immunity from City taxes. However, it did stipulate that if the property was developed for purposes other than agriculture, the development would constitute a petition by the owner for voluntary annexation of the property for full purposes by the City. Additionally, the owner is in the process of selling the tract to Gulf South Pipeline for use as a compressor station facility and has therefore requested that it be annexed by the City for full purposes. The remaining acreage would remain under the Agreement, as it would continue to be used for agricultural purposes, and only the 20.37-acre tract would be subject to City taxes. This approach is directly in accordance with the language in the Agreement.

In previous instances, staff has been directed to move forward per the terms of the Agreements. Resolution No. R-2056 was presented as a petition for annexation and was accepted by City Council on October 20, 2015. Per the City Charter and state law, once the petition is accepted by City Council via the Resolution, it must be acted on no sooner than five (5) days nor later than thirty (30) days. Therefore Ordinance No. 2015-35 has been placed on the Agenda for City Council's consideration to formally annex the subject property for full purposes. Staff recommends approval of Ordinance No. 2015-35.

- D. **Consideration of and action on a Final Plat of The Trails at Seabourne Parke Section Three, a subdivision of 23.495 acres located in the G.M. Stone 1/3 League Survey, Abstract 312, City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 147); 97 lots, 2 reserves, 3 blocks.**

**EXECUTIVE SUMMARY**

The Final Plat of The Trails at Seabourne Parke Section Three consists of approximately 23.495 acres and 97 single-family residential lots. It is located south of J. Meyer Road off of Sandy Sea Road, east of The Trails at Seabourne Parke Section Two and south of The Trails at Seabourne Parke Section One. It is generally in the southeast quadrant of The Trails at Seabourne Parke adjoining Seabourne Creek to the east. The Plat is located within the City Limits and in Fort Bend County MUD No. 147.

All proposed lots are fifty feet (50') in width and a minimum of 6,000 square feet in size since the Land Plan was approved before the current standards relating to lot size. The Plat conforms to the approved Land Plan dated June 2003, which is attached for review. The development was assigned to LGI Homes in 2014. LGI is developing in accordance with the previously approved Land Plan.

The Preliminary Plat of this subdivision was approved by the Planning Commission on June 17, 2015. Additionally, the Final Plat was recommended for approval by the Planning Commission on October 21, 2015. There being no conflicts with applicable regulations or with the approved Land Plan or Preliminary Plat, staff recommends approval of the Final Plat of The Trails at Seabourne Parke Section Three.

- E. **Consideration of and action on a Final Plat of Walnut Creek Section Twelve, a subdivision of 13.814 acres containing 46 lots, 4 blocks and 4 restricted reserves out of the Wiley Martin League, A-56, Fort Bend County, Texas.**

**EXECUTIVE SUMMARY**

The Final Plat of Walnut Creek Section Twelve is a proposed subdivision consisting of forty-six (46) residential lots, four (4) restricted reserves, and four (4) blocks located off of Irby Cobb Boulevard in the northeast part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ), in Fort Bend County MUD No. 152, and east of Walnut Creek Section Eleven.



The subdivision consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek and applicable standards. The Preliminary Plat of this subdivision was approved by the Planning Commission on April 15, 2015, and an updated Land Plan reflecting the current subdivision layout was later approved by the Planning Commission on September 16, 2015, and by City Council on October 20, 2015.

The Final Plat is not in conflict with any applicable standards, the revised Land Plan, or the approved Preliminary Plat. Additionally, the Plat was recommended for approval by the Planning Commission on October 21, 2015. Staff recommends approval of the Final Plat of Walnut Creek Section Twelve.

**F. Consideration of and action on Quarterly Investment Report for the quarter ended September 30, 2015.**

**EXECUTIVE SUMMARY**

The Quarterly Investment Report for the quarter ended September 30, 2015, is attached for review as required by the City of Rosenberg Investment Policy and Public Funds Investment Act.

Staff recommends acceptance of the Quarterly Investment Report for the quarter ended September 30, 2015.

**ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 3 Lisa Wallingford to approve Consent Agenda items A, B, C, D, E, and F.

**Vote:** 7 - 0 Carried - Unanimously

**REGULAR AGENDA**

**2. Consideration of and action on presentation by Kimberly Brown, Executive Director, regarding the Rosenberg Housing Authority Annual Report for fiscal year ended September 30, 2015.**

**EXECUTIVE SUMMARY**

The Rosenberg Housing Authority is mandated by U.S. Department of Housing and Urban Development (HUD) to make an annual report to the Rosenberg City Council. Kimberly Brown, Executive Director, requested to be placed on the City Council Agenda in order to present the annual report for fiscal year ending September 30, 2015.

**KEY DISCUSSION POINTS**

Kimberly Brown, Executive Director, Rosenberg Housing Authority, gave an overview of Annual Report for the period of October 1, 2014, through September 30, 2015. The Rosenberg Housing Authority was established by the City of Rosenberg in 1976, and is focused on providing decent, safe, and sanitary housing for low income, elderly, disabled, and handicapped families. Mayor and Council thanked Ms. Brown for her presentation.

**3. Consideration of and action on a second reading of Ordinance No. 2015-30, an Ordinance amending the Code of Ordinances, by amending Section 21-46 of Chapter 21 thereof and by adding a new Section 21-52 to Chapter 21 thereof; providing a definition of "City Parks"; prohibiting the use of tobacco products and electronic smoking devices within any City park; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.**

**EXECUTIVE SUMMARY**

At the August 25, 2015 Regular City Council Meeting, Parks and Recreation staff expressed concerns over growing evidence of the health risks posed by electronic smoking devices. Staff presented City Council with information contained in Texas Senate Bill 97, which was signed into law on May 28, 2015, in which the State of Texas now recognizes electronic smoking devices as part of all current tobacco laws as they pertain to minors. Parks staff recommends amending the City's current "Smoking" Ordinance, as it relates to City parks, to include electronic smoking devices. Following a four (4) to three (3) affirmative vote at the Regular City Council Meeting on October 20, 2015, staff presents Ordinance No. 2015-30 for a second reading and final consideration.

**SPEAKER**

- **James Urbish, 2514 Cypress Lane, Rosenberg** - Mr. Urbish agrees that there should not be smoking in the stands, but he believes that smokers are taxpayers and should be afforded the freedom to smoke when they are not being a nuisance.

**KEY DISCUSSION POINTS**

Lydia Acosta, Recreation Programs Coordinator, read the Executive Summary and explained that a second



reading of the Ordinance was required due to the 4 -3 vote on its first reading. Scott Tschirhart, City Attorney, clarified that, as the Ordinance is currently written, a person could possibly be in violation by having an electronic cigarette in their purse or backpack. This Ordinance amendment was initiated by the Parks and Recreation Board, in keeping with the similar LCISD policy. Many Council members expressed interest in reviewing the Ordinance in its entirety in the future.

**ACTION**

Motion by Mayor Cynthia A. McConathy, seconded by Councilor, District 1 Jimmie J. Pena to take no action on the proposed amendment to the Ordinance at this time.

**Vote:** 7 - 0 Carried - Unanimously

4. **Consideration of and action on presentation regarding the Rosenberg Development Corporation Annual Report for Fiscal Year Ended September 30, 2015.**

**EXECUTIVE SUMMARY**

Section 3.02(b) of the Rosenberg Development Corporation (RDC) Bylaws require the RDC to prepare and submit an annual report to the Rosenberg City Council. The RDC Executive Director will present the annual report to City Council.

**KEY DISCUSSION POINTS**

Randall Malik, Economic Development Director, gave a presentation highlighting the RDC activities and key elements of the FY15 Annual Report. No action was taken on this item.

5. **Consideration of and action on Resolution No. R-2057, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-15, in the amount of \$142,995.00 for FY2015 year-end adjustments.**

**EXECUTIVE SUMMARY**

The 2015 Fiscal Year Budget was compared to actual expenditures at the department level. The majority of the departments were within budget and many were significantly under budget. Budget Amendment 15-15 presents amendments to the FY2015 Budget for line item changes as detailed in the spreadsheet and memorandum, both included for City Council's review.

Overall, the General Fund Expenditures for the FY2015 are over \$1 million below the budgeted amounts and the Water/Wastewater Fund Expenditures are approximately \$250,000 below the budgeted amounts. However, some individual line items are over budget and may require an adjustment to better reflect the actual and budgeted expenditures for FY2015. These adjustments are presented to reallocate expenditures or redistribute excess revenues to line items which may require an adjustment.

Budget Amendment 15-15 is included as Exhibit "A" to Resolution No. R-2057. Staff recommends approval of Resolution No. R-2057 as presented.

**KEY DISCUSSION POINTS**

Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary, explaining that the annual expenditures from the General Fund came in under \$1,000,000 below the budget, but that some individual line items were over budget, so this excess revenue can be applied to clean up those particular line items.

**ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2057, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-15, in the amount of \$142,995.00 for FY2015 year-end adjustments.

**Vote:** 7 - 0 Carried - Unanimously

6. **Consideration of and action on Resolution No. R-2067, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 16-01, in the amount of \$34,375.00 for roof repairs at Fire Station No. 1.**

**EXECUTIVE SUMMARY**

Fire Station No. 1 has been experiencing some problems with the condition of the roof. The roof has several rust spots and leaks when it is raining. Fire Chief Wade Goates has had the roof inspected and has received two (2) proposals to repair the roof. Copies of these proposals are included for review. The lowest price is from Remedy Contractors in the amount of \$34,375.00. Therefore, this Budget Adjustment is presented to authorize funding for roof repairs at Fire Station No. 1 in the amount of \$34,375.00 from the General



Supplemental Fund Balance.

Budget Adjustment 16-01 is included as Exhibit "A" to Resolution No. R-2067. Staff recommends approval of Resolution No. R-2067 as presented.

#### **KEY DISCUSSION POINTS**

Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary. Wade Goates, Fire Chief, explained that the roof will remain mostly flat, with a slight pitch to encourage proper drainage.

#### **ACTION**

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2067, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 16-01, in the amount of \$34,375.00 for roof repairs at Fire Station No. 1.

**Vote:** 7 - 0 Carried - Unanimously

7. **Consideration of an action on Resolution No. R-1983, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Special Warranty Deed, being 3.0 acre tract of land in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, for the construction of Water Plant No. 8, by and between the City and Fort Bend County Municipal Utility District No. 184.**

#### **EXECUTIVE SUMMARY**

As part of the negotiations with the developer of Stonecreek Estates, also known as Fort Bend County Municipal District No. 184 (MUD No. 184), it was agreed that a site for Water Plant No. 8 would be conveyed to the City at no cost. Section 3.02(d) of the executed Development Agreement includes a provision requiring the conveyance of a 2.0 acre tract of land for Water Plant No. 8 and access easements. With the acquisition of the additional treated surface water capacity from the Brazosport Water Authority, it was determined the 2.0 acre tract would not be adequate in size to store, treat and pump the water into the distribution system. The developer and MUD No. 184 subsequently agreed to increase the size of the water plant site to a 3.0 acre tract at no cost. Attached to Resolution No. R-1983 as Exhibit "A" is the Special Warranty Deed from MUD No. 184 for the 3.0 acre tract of land. A separate Agenda item has been prepared to authorize acceptance of the access easement.

Construction bids for the Water Plant No. 8 project are scheduled to be opened on November 18<sup>th</sup> and an item will be placed on the December 15<sup>th</sup> City Council Agenda to award said construction bid.

Staff recommends approval of Resolution No. R-1983 as presented.

#### **KEY DISCUSSION POINTS**

John Maresh, Assistant City Manager of Public Services, read the Executive Summary.

#### **ACTION**

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-1983, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Special Warranty Deed, being 3.0 acre tract of land in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, for the construction of Water Plant No. 8, by and between the City and Fort Bend County Municipal Utility District No. 184.

**Vote:** 7 - 0 Carried - Unanimously

***Mayor McConathy adjourned the meeting for a break at 8:20 p.m., and reconvened at 8:30 p.m.***

8. **Consideration of and action on Resolution No. R-2066, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a 0.05 acre and 0.09 acre access easement, part of that certain called 130.5756 acre tract recorded under County Clerk's file number 2013129252, Official Public Records, Fort Bend County, Texas, in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, by and between the City and Dry Creek (Houston) ASLI VII, LLC.**

#### **EXECUTIVE SUMMARY**

In the previous Agenda item, City Council considered acceptance of a Special Warranty Deed for a 3.0 acre tract of land located in Stonecreek Estates, Fort Bend County Municipal Utility District No. 184 (MUD No. 184) for construction of Water Plant No. 8. This item has been included on the Agenda to offer City Council the opportunity to accept a 0.05 acre (60-foot width) and 0.09 acre (100-foot width) access easement from the existing A. Meyer Road right-of-way to the 3.0 acre tract of land, a distance of approximately forty (40) feet. Approximately thirty (30) feet of the access easement will eventually be dedicated as additional right-of-way for the expansion of A. Meyer Road with the remaining ten (10) feet to serve as a landscape



reserve. Attached to Resolution No. R-2066 as Exhibit "A" is the Access Easement.

Staff recommends approval of Resolution No. R-2066 as presented.

#### **KEY DISCUSSION POINTS**

John Maresh, Assistant City Manager of Public Services, read the Executive Summary.

#### **ACTION**

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2066, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a 0.05 acre and 0.09 acre access easement, part of that certain called 130.5756 acre tract recorded under County Clerk's file number 2013129252, Official Public Records, Fort Bend County, Texas, in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, by and between the City and Dry Creek (Houston) ASLI VII, LLC.

**Vote:** 7 - 0 Carried - Unanimously

#### **9. Consideration of and action on the proposed installation of speed humps on Bernard Avenue.**

##### **EXECUTIVE SUMMARY**

This item has been included on the Agenda to allow City Council to consider a request regarding the installation of speed humps on Bernard Avenue. Included for reference is the City's Policies and Procedures for Traffic Calming, Speed Hump Installation and Removal (Policy), a map that includes the location of the proposed speed humps, and the Notification/Evidence of Support Application.

Within the Policy, under B3 in Item II entitled Installation of Speed Humps by Citizen Request, the section states in part: "...There must be at least 75% of the property owners and residents in support of the installation in order to proceed with the review process..." More specifically, there are 30 residential homes located on Bernard Avenue. Twenty (20) of the homes stated they are in support of the speed hump installations, while ten (10) did not respond, or provide a definitive answer. There are also five (5) vacant lots along the street from which responses were not provided. This equates to approximately 57% of the property owners being in support. Staff has determined that in this case, the information submitted does not meet this 75% threshold. Section I., C. of the Policy states "The Rosenberg City Council retains the authority to install or remove speed humps for cause independent of this policy".

Staff is seeking direction from City Council on the best course of action and the appropriate response going forward.

##### **SPEAKERS**

- **John Burlingame, 1015 Bernard Avenue** - Mr. Burlingame stated that he has witnessed many speeders on Bernard. He believes the speeding is a dangerous nuisance.
- **Richard Gonzales, 1021 Bernard Avenue** - Mr. Gonzales helped survey the residents, and asks for Council's support in installing speed humps. He believes that vacant lots or houses should not be counted against the 75% support necessitated by the policy.
- **Lisa Thorpe, 1020 Bernard Avenue** - Ms. Thorpe loves her street and community, but does not like the speeding and believes it poses a safety risk to the residents. She respectfully requests speed humps be installed.

##### **KEY DISCUSSION POINTS**

John Maresh, Assistant City Manager of Public Services, read the Executive Summary. After discussion, the general consensus was in favor of exercising the authority of Council in the absence of a 75% majority. There was some question raised regarding the use of removable, rubber speed humps versus permanent, asphalt speed humps, and their associated costs.

##### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 4 Lynn Moses to approve the installation of asphalt speed humps on Bernard Avenue.

**Vote:** 3 - 4 - Failed - Yeses: Councilors Benton, Barta, and Moses. Noes: Mayor McConathy, Councilors Pena, Euton, and Wallingford.

##### **ACTION**

Motion by Councilor, District 2 Susan Euton, seconded by Mayor Cynthia A. McConathy, to have staff conduct a cost analysis of rubber versus asphalt speed humps, and return this item to Council with costs determined.

**Vote:** 7 - 0 Carried - Unanimously



10. **Consideration of and action on Resolution No. R-2062, a Resolution approving and adopting the Rosenberg Main Street District Facade Improvement Matching Grant Program; and, establishing guidelines and application procedures related thereto.**

**EXECUTIVE SUMMARY**

The Facade Improvement Matching Grant Program (Program) will enable downtown merchants and property owners to apply for matching grant assistance to make improvements or beautifications to their building facades. Some typical examples of work that would be eligible under this Program would be repair or replacement of masonry, doors, windows, awnings, or original architectural features.

The Program guidelines, attached to Resolution No. R-2062, were initially presented to the City Council at the June 23, 2015 Workshop Meeting and the general consensus of City Council was to move forward. The Main Street Advisory Board also reviewed the guidelines and recommended approval at the June 26, 2015 meeting. Staff recommends approval of Resolution No. R-2062 as presented.

**KEY DISCUSSION POINTS**

Dan Kelleher, Main Street Manager, read the Executive Summary and explained that the Texas Main Street Office will give free design assistance to participants in the Main Street Program for improvements to their buildings. The funds for this program would be coming from hotel taxes.

**ACTION**

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2062, a Resolution approving and adopting the Rosenberg Main Street District Facade Improvement Matching Grant Program; and, establishing guidelines and application procedures related thereto.

**Vote:** 7 - 0 Carried - Unanimously

11. **Consideration of and action on Resolution No. R-2063, a Resolution approving and adopting the Rosenberg Main Street District Physical Improvement Grant Program and establishing guidelines and application procedures related thereto.**

**EXECUTIVE SUMMARY**

The Physical Improvement Matching Grant Program (Program) will enable public and/or private parties to apply for matching grant assistance to make downtown improvements or beautifications that are not attached to any building. Examples of typical improvements that would be eligible for these grants include benches, sidewalk improvements, hardscape or outdoor plaza improvements, landscaping, or public art.

This Program was initially presented to City Council at the June 23, 2015 Workshop Meeting. The final Program guidelines, criteria, and application, attached to Resolution No. R-2063 as Exhibit "A", were reviewed and approved by the Rosenberg Main Street Advisory Board on June 26, 2015. Staff recommends approval of Resolution No. R-2063 as presented.

**KEY DISCUSSION POINTS**

Dan Kelleher, Main Street Manager, explained that this item is very similar to the previous item, except that this item is for improvements that are detached from the buildings themselves, such as benches, art, and landscaping.

**ACTION**

Motion by Councilor, District 2 Susan Euton, seconded by Councilor, District 3 Lisa Wallingford to approve Resolution No. R-2063, a Resolution approving and adopting the Rosenberg Main Street District Physical Improvement Grant Program and establishing guidelines and application procedures related thereto.

**Vote:** 7 - 0 Carried - Unanimously

12. **Consideration of and action on proposed cancellation of City Council Workshop Meetings for November and December 2015.**

**EXECUTIVE SUMMARY**

This item has been included on the Agenda to provide an opportunity for City Council to discuss the possible cancellation of the November 24 and December 22 Workshop Meetings.

**KEY DISCUSSION POINTS**

Linda Cernosek, City Secretary, read the Executive Summary.



**ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 2 Susan Euton to approve cancellation of City Council Workshop Meetings for November and December 2015.

**Vote:** 7 - 0 Carried - Unanimously

13. **Hold Executive Session to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and, to deliberate the appointment, employment, and evaluation of the City Manager pursuant to Section 551.074 of the Texas Government Code.**

**ACTION**

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 2 Susan Euton to adjourn to Executive Session.

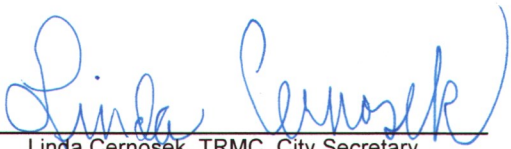
**Vote:** 7 - 0 Carried - Unanimously

14. **Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.**

Mayor McConathy adjourned the Executive Session and reconvened into Regular Session.

15. **Adjournment.**

There being no further business, Mayor McConathy adjourned the meeting at 9:59 p.m.

  
Linda Cernosek, TRMC, City Secretary